

Notice of Allowability	Application No.	Applicant(s)	
	10/039,332	HWANG ET AL.	
	Examiner	Art Unit	
	Tilahun B Gesesse	2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to 2/9/05.
2. ☒ The allowed claim(s) is/are 18-55.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Tilahun Gesesse
primary Examiner

DETAILED ACTION

Status of claims

1. This is in response to applicant's amendment and response filed February 9, 2005, in which claims 1-17 have been canceled and claims 18-55 are pending.
2. After further search and thorough examination of the present application and in view of applicant's amendment and response, claims 18-55 are found to be in condition for allowance.

Allowable Subject Matter

3. The following is an examiner's statement of reasons for allowance: the prior art Palenius (US patent No. 6,904,290) teaches transmitting power control by determining data rate at first channel and transmitted on the uplink on the DPCCH , DPDCH1 and DPDCH2, and the power level controller controls the uplink transmit power based on the power offset values received from the BS 100 or calculate by the MS 110 , see abstract and column 5, lines 22-32).

On the other hand, the present application specifically teaches transmit dedicated channel data including a first TFCI bit to the UE over dedicated channels, wherein the selected Node B among the Node Bs transmits dedicated channel data including the first TFCI bit and the second TFCI bit over a dedicated channel and transmits downlink shared channel data over the downlink shared channel, wherein a dedicated channel frame from the selected Node B has a plurality of time slots, each of the time slots including a transmission data field and a TFCI field indicating transport

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format information of the transmission data, each of the TFCI fields including a first field where the first TFCI bit indicating transport format information of the dedicated channel data transmitted over the dedicated channels is located and a second field where the second TFCI bit indicating transport format information of the downlink shared channel data transmitted over the dedicated shared channel is located, the apparatus comprising: a plurality of common channel pilot estimators for estimating levels of common channel pilot signals received from the Node Bs in the active set; and a downlink transmission power control command generator for determining a transmission power offset of the second TFCI bit using the measured levels of the common channel pilot signals, provided from the common channel pilot estimators. These limitations, in conjunction with all other limitations of the independent claims, have not been disclosed, taught or made obvious over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flex.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tilahun Geesee 6/6/05
TILAHUN GEESSE
PRIMARY EXAMINER